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Attorneys for Plaintiff
SUSAN SIMON and the putative class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SUSAN SIMON, individually, on behalf of
herself and all others similarly situated,

Plaintiffs,

v.

ADZILLA, INC.; CONDUCTIVE
CORPORATION; CONTINENTAL VISINET
BROADBAND, INC.; CORE
COMMUNICATIONS, INC. d/b/a CORETEL
COMMUNICATIONS, INC. et al.

Defendants.

Case No.: C09-00879-MMC

**SECOND STIPULATION REGARDING
TIME FOR PLAINTIFF'S RESPONSE TO
DEFENDANT CONTINENTAL VISINET
BROADBAND LLC'S MOTION TO
DISMISS AND TO CONTINUE HEARING
DATE**

The Hon. Maxine M. Chesney

Pursuant to Civil Local Rule 6-1, Plaintiff and Defendant Continental Visinet Broadband
LLC ("Continental Visinet") hereby stipulate and agree as follows:

1. The time for Plaintiff to file a response to Continental Visinet's Motion to Dismiss
(Dkt. No. 9) is extended to July 2, 2009.

1 2. Plaintiff filed her complaint on February 27, 2009.

2 3. Continental Visinet filed its Motion to Dismiss on March 30, 2009.

3 4. This is the second request for an extension of time concerning a response to
4 Continental Visinet's Motion to Dismiss.

5 5. The parties request this extension to allow Plaintiff and Defendant Continental
6 Visinet to finalize their discussions regarding a non-judicial resolution of the matter through
7 informal discussions. The parties have agreed in principal to such a resolution and require
8 additional time in which to finalize details to formally implement the non-judicial resolution as to
9 Continental Visinet.

10 6. Plaintiff has entered into previous stipulations with defendants Conducive and
11 CoreTel to provide these defendants additional time to file a responsive pleading or otherwise
12 respond to Plaintiff's Complaint.

13 7. This requested time modification will require the Court to reschedule the hearing
14 on Defendant Continental Visinet's Motion to Dismiss, which is currently scheduled for June 12,
15 2009 at 9:00 a.m. The parties propose that the Court reschedule the hearing for Friday, July 24,
16 2009 at 9:00 a.m.

17 Dated: May 21, 2009

By: /s/
Alan Himmelfarb
KAMBEREDELSON, LLC
Attorney for Plaintiffs

20 Dated: May 21, 2009

By: /s/
Martin L. Fineman
DAVIS WRIGHT TREMAINE LLP
*Attorney for Defendant Continental
Visinet Broadband LLC.*

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Case No.: C09-00879-MMC

**PROPOSED ORDER REGARDING TIME
FOR PLAINTIFF'S RESPONSE TO
DEFENDANT CONTINENTAL VISINET
BROADBAND LLC'S MOTION TO
DISMISS**

The Hon. Maxine M. Chesney

1 Now before the Court is Plaintiff's and Defendant Continental Visinet Broadband LLC's
2 Stipulation Regarding Time for Plaintiff's Response to Defendant Continental Visinet's Motion to
3 Dismiss. Upon consideration of the stipulation, this Court is of the opinion that Plaintiff shall
4 have until July 2, 2009 to respond to Defendant Continental Visinet's Motion to Dismiss. The
5 hearing on Defendant Continental Visinet's Motion to Dismiss is hereby set for Friday, July 24,
6 2009 at 9:00 a.m.

7 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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9
10 DATED: _____

11 By: _____
12 Hon. Maxine M. Chesney
13 United States District Court
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